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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62568

Michio MASUDA, et al.

Appln. No.: 09/752,520

Group Art Unit: 2143

Confirmation No.: 9986

Examiner: Thomas J. Mauro Jr.

Filed: January 3, 2001

For: **MULTI-LAYER CLASS IDENTIFYING COMMUNICATION APPARATUS WITH
PRIORITY CONTROL**

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith along with a copy of an English translation of the corresponding Communication from a Foreign Patent Office.

1. METZ, CHRIS: IP QOS: Traveling in First Class on the Internet. IEEE Internet Computing, March/April 1999, pages 84-88.

2. NICHOLS, K.; JACOBSEN, V.; ZAHNG, L.: A Two-bit Differentiated Services Architecture for the Internet. Network Working Group, RFC2638, July 1999, pages 1-30.

INFORMATION DISCLOSURE STATEMENT
U.S. Appl. No.: 09/752,520

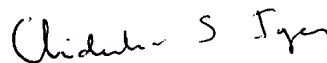
3. International Publication No. 98/28939, published July 2, 1998.
4. FLOYD, SALLY; SPEER, MICHAEL F.: Experimental Results for Class-Based Queueing, November 1998, pages 1-13.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p) and a Statement Under 37 C.F.R. § 1.97(e).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 30, 2004



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PRIORITY CONTROL

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/752,520
				Confirmation Number	9986
				Filing Date	January 3, 2001
				First Named Inventor	Michio MASUDA
				Art Unit	2143
				Examiner Name	Thomas J. Mauro Jr.
Sheet	1	of	1	Attorney Docket Number	Q62568

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	98/28939	A1	7/2/1998	NORTHERN TELECOM LIMITED	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		METZ, CHRIS: IP QOS: Traveling in First Class on the Internet. IEEE Internet Computing, March/April 1999, pages 84-88	
		NICHOLS, K.; JACOBSEN, V.; ZAHNG, L.: A Two-bit Differentiated Services Architecture for the Internet. Network Working Group, RFC2638, July 1999, pages 1-30	
		FLOYD, SALLY; SPEER, MICHAEL F.: Experimental Results for Class-Based Queueing. November 1998, pages 1-13	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.